UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NAVILLUS CONTRACTING,

Plaintiff,

- against -

LOCAL 46 METALLIC LATHERS UNION AND REINFORCING IRON WORKERS.

Defendant.

12 Civ. 01895 (ALC) (GWG)

STIPULATION AND ORDER OF DISMISSALWITHOUT PREJUDICE

(Fed. R. Civ. P. 41(a))

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), it is hereby stipulated and agreed by and between the undersigned counsel for the parties that the above-captioned action and any claims for damages or other relief in connection therewith are hereby withdrawn and voluntarily dismissed without prejudice, without costs to either party

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Dated: New York, New York

March 29, 2012

Dated: 4-2-12

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By: Thomas M. Kennedy 113 University Place New York, New York 10003 (212) 358-1500

U.S.D.J.

tkennedy@kjmlabor.com Attorneys for Defendant

SO ORDERED:

LEGAL_US_E # 97604462.1